

Attorney Docket No.: 2001P14044WOUS

REMARKS

Claims 1-7 and 9-16 were previously pending in the application. By the Amendment, Claim 1 is currently amended, Claims 3 and 12 are canceled without prejudice, and Claims 2, 4-7, 9-11 and 13-16 remain unchanged. Applicants gratefully acknowledge the Examiner's allowance of Claims 9 and 13-16.

Claims 1-7 and 10-13 were rejected under 35 USC §102(b) as being anticipated by Hierung (US 1,666,652).

Independent Claim 1 recites an insert for a door storage compartment, the insert comprising: a frame enclosing at least one chamber and having a first side and an attachment device disposed at said first side, said attachment device provided for attaching to the door storage compartment, said frame having a second side with at least one indentation formed therein for fixing an object located outside of said frame, wherein said frame is flexible and elastic, at least in an area of said second side.

Claim 1 has been amended to include the subject matter of canceled Claim 3, reciting that the frame is flexible, at least in an area of the second side. Claim 1 has also been amended to clarify that the portion of the frame is flexible *and elastic*. The Final Office action dated June 23, 2006 was made final even though it is a first action after the filing of a request for continued examination (RCE). In the previous Amendment, Applicants presented arguments that Hierung did not disclose the frame being "flexible". The Final Office action dated June 23, 2006 explained the Examiner's position that the sheet metal of Hierung was being interpreted as "flexible". Because the first action after the RCE was made final, this Amendment is the Applicants' first opportunity to respond to the Examiner's explanation. Therefore, Applicants respectfully request entry and consideration of this Amendment under 37 CFR 1.116. Hierung does not disclose any portions of a frame being flexible and elastic, at least in an area of said second side.

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CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 1-2, 4-7 and 10-11, in addition to previously allowed Claims 9 and 13-16 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig J. Loest", with a stylized flourish at the end.

Craig J. Loest

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